

CLERKS OFFICE U.S. DIST. COURT
AT ABINGDON, VA
FILED

July 29, 2024

LAURA A. AUSTIN, CLERK
BY: s/ FELICIA CLARK
DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ABINGDON DIVISION

JAMES EDWARD WORKMAN,

Plaintiff,

V.

LHC GROUP, INC.,

Defendant.

Case No. 1:23-cv-048

By: Michael F. Urbanski
Senior United States District Judge

ORDER

For the reasons set forth in the accompanying memorandum opinion, defendant LHC Group, Inc.'s motion to dismiss plaintiff James Edward Workman's amended complaint for failure to state a claim under Federal Rule of Civil Procedure 12(b)(6), ECF No. 25, is **GRANTED**. Defendant's motion to dismiss the initial complaint, ECF No. 13, is **DENIED as moot**.

The amended complaint is **DISMISSED without prejudice**. Workman is granted leave of court to file a second amended complaint within thirty (30) days. If a second amended complaint is not filed within thirty (30) days, the Clerk is **DIRECTED** to strike this case from the docket of the court.

It is **SO ORDERED**.

Entered: July 26, 2024



Michael F. Urbanski
Senior United States District Judge